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REPORT

OF

THE SUDDER COURT

ON

THE ADMINISTRATION

OF

CIVIL JUSTICE

UNDER

THE MADRAS PRESIDENCY,

FOR THE YEAR

1860.

Madras:
PRINTED AND PUBLISHED BY H. SMITH, AT THE FORT SAINT GEORGE GAZETTE PRESS.
1861.

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BENGAL SECRETARIAT LIBRARY

MADRAS, 7th May 1861.

No. 54.

From THOMAS WILKINS, Esq.,

Acting Deputy Registrar of the Sudder Court.

To T. PYCROFT, Esq.,

Chief Secretary to Government.

SIR,

I have the honor, by desire of the Judges of the Sudder Court, to transmit, for the purpose of being laid before the Government, the accompanying Statements, in illustration of the Administration of Civil Justice in the Courts of this Presidency, during the year 1860.

I have the honor to be,

Sir,

Your most obedient Servant,

THOMAS WILKINS,

Acting Deputy Registrar.

SUDDER COURT, REGISTRAR'S OFFICE,

7th May 1861.

BENGAL SECRETARIAT LIBRARY

GENERAL ABSTRACT STATEMENT.

CIVIL.

No. 1.—Punchayets.

	1856.	1857.	1858.	1859.	1860.
Pending 1st January.	55	50	50	51	63
Instituted during the year.	51	50	49	73	62
Total.....	106	100	99	124	125
Decided on merits.	11	18	17	25	36
Dismissed on default.	32	17	10	11	10
Adjusted or withdrawn.	13	15	17	25	29
Otherwise disposed of.	.....	.....	4	.....	1
Total.....	56	50	48	61	76
Depending 31st December....	50	50	51	63	49

No. 2.—Village Moonsiffs.

	1856.	1857.	1858.	1859.	1860.
Depending 1st January...	4,763	5,786	5,389	5,060	6,550
Instituted during the year.	20,041	20,494	23,168	27,114	30,515
Total.....	24,804	28,280	28,557	32,174	37,065
Decided on merits...	6,295	6,860	7,528	9,354	11,050
Dismissed on default...	6,189	7,210	3,859	3,502	4,159
Adjusted or withdrawn	6,534	6,821	9,539	10,977	13,309
Otherwise disposed of	.....	.....	2,571	1,791	990
Total.....	19,018	20,891	23,497	25,624	29,508
Depending 31st December....	5,786	5,389	5,060	6,550	7,557

No. 3.—District Moonsiffs.

	1856.	1857.	1858.	1859	1860.
Depending 1st January...	47,658	45,388	49,986	56,546	78,013
Instituted during the year...	95,834	98,848	1,08,246	1,25,424	88,793
Remanded...	665	826	988	1,031	769
Received by transfer...	891	1,295	3,563	1,855	10,227
Total...	1,45,048	1,46,357	1,62,783	1,84,856	1,77,802
Decided on merits...	39,036	37,760	38,774	43,065	48,020
Dismissed on default.....	4,313	4,095	4,862	6,166	8,915
Adjusted or withdrawn...	54,758	52,675	51,304	50,586	48,330
Otherwise disposed of.....	1,553	1,841	11,297	7,026	13,466
Total...	99,660	96,371	1,06,237	1,06,843	1,19,331
Depending 31st December...	45,388	49,986	56,546	78,013	58,471

No. 4.—Sudder Ameens.

	1856.	1857.	1858.	1859.	1860.
Depending 1st January	875	1,312	1,250	1,058	2,160
Instituted during the year.	1,483	2,151	2,131	2,644	2,015
Remanded...	98	102	101	119	55
Received by transfer...	690	798	663	976	267
Total.....	3,146	4,363	4,145	4,797	4,497
Docided on merits	1,012	1,675	1,251	1,140	1,400
Dismissed on default...	110	216	182	225	401
Adjusted or withdrawn	650	1,185	940	1,037	964
Otherwise disposed of.	62	37	714	235	186
Total.....	1,834	3,113	3,087	2,637	2,951
Depending 31st December....	1,312	1,250	1,058	2,160	1,546

No. 5.—Principal Sudder Ameens.

	1856.		1857.		1858.		1859.		1860.	
	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.
Depending 1st January.....	382	500	358	598	382	848	314	1,182	282	1,102
Instituted during the year.....	955	34	752	37	595	47	426	18	230	14
Remanded.....	29	13	3	23	5	17	7	25	5	25
Received by transfer.....	137	1,180	12	2,090	31	2,871	20	2,554	262	3,452
Total.....	1,503	1,727	1,125	2,748	1,013	3,783	767	3,779	779	4,593
Decreed for Plaintiff or Appellant.....	385	378	308	580	283	766	127	707	257	1,121
Decreed for Defendant or Respondent.....	103	537	96	938	92	1,331	75	1,300	75	1,424
Remanded.....	...	146	...	265	...	380	...	393	...	86
Dismissed on default.....	139	7	22	10	21	19	18	34	6	94
Adjusted or withdrawn.....	465	57	303	97	232	137	119	107	121	126
Otherwise disposed of.....	53	4	14	10	77	23	153	191	58	393
Total.....	1,145	1,129	743	1,900	705	2,656	492	2,732	517	3,244
Depending 31st December...	358	598	382	848	308	1,127	275	1,047	262	1,349

No. 6.—Assistant Judges.

	1856.		1857.		1858.		1859.		1860.	
	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.
Depending 1st January.....	...	350	...	178	...	278	..	...	...	...
Instituted during the year....	...	...	...	...	...	...	...	...	...	...
Remanded.....	...	4	...	3	...	1	...	...	...	...
Received by transfer.....	...	3	...	483	...	1	...	...	...	...
Total.....	...	357	...	664	...	280	...	...	...	...
Decreed for Plaintiff or Appellant.....	...	51	...	95	...	83	...	...	...	...
Decreed for Defendant or Respondent.....	...	97	...	210	...	88	...	...	...	...
Remanded.....	...	10	...	11	...	12	...	...	...	...
Dismissed on default.....	...	7	...	16	...	4	...	...	...	...
Adjusted or withdrawn.....	...	14	...	36	...	10	...	...	...	...
Otherwise disposed of.....	...	...	...	18	...	83	...	...	...	...
Total.....	...	179	...	386	...	280	...	...	...	..
Depending 31st December...	...	178	...	278	...	...	...	...	...	...

No. 7.—Subordinate Judges.

	1856.		1857.		1858.		1859.		1860.	
	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.
Depending 1st January.	373	1,425	339	1,468	308	1,308	477	817	691	906
Instituted during the year	152	...	135	...	352	19	709	54	680	81
Remanded	18	17	17	18	19	9	14	5	12	7
Received by transfer ...	123	1,123	108	1,002	240	670	271	965	219	1,214
Total...	666	2,565	599	2,488	919	2,006	1,471	1,841	1,602	2,208
Decreed for Plaintiff or Appellant...	78	260	79	278	149	262	263	206	350	229
Decreed for Defendant or Respondent	55	452	42	455	49	497	61	347	118	449
Remanded	...	73	...	111	...	114	...	103	...	34
Dismissed on default ...	53	16	39	22	47	10	45	12	51	34
Adjusted or withdrawn.	90	67	97	68	120	65	290	53	330	41
Otherwise disposed of...	51	229	34	246	71	186	114	139	100	395
Total...	327	1,097	291	1,180	436	1,134	773	880	949	1,182
Depending 31st Dec....	339	1,468	308	1,308	483	872	698	961	653	1,026

No. 8.—Civil Judges.

	1856.		1857.		1858.		1859.		1860.	
	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.
Depending 1st January.	181	2,924	295	4,470	281	4,793	229	4,679	373	4,790
Instituted during the year	366	5,632	335	5,681	237	5,439	407	5,528	310	6,180
Remanded	5	15	12	37	4	25	5	26	10	34
Received by transfer ...	132	240	167	274	2,997	370	2,174	303	3,403	661
Total...	684	8,811	809	10,462	3,519	10,627	2,815	10,536	4,096	11,665
Decreed for Plaintiff or Appellant	29	586	37	524	21	603	18	812	51	848
Decreed for Defendant or Respondent	29	1,030	13	1,094	17	1,179	20	939	54	1,406
Remanded	...	170	...	186	...	226	...	263	...	123
Dismissed on default ...	8	104	10	91	2	345	19	65	13	78
Adjusted or withdrawn.	72	158	82	190	66	191	50	168	69	158
Otherwise disposed of...	251	2,293	386	3,584	3,184	3,404	2,335	3,499	3,592	4,561
Total...	389	4,341	528	5,669	3,290	5,948	2,442	5,746	3,779	7,177
Depending 31st Dec....	295	4,470	281	4,793	229	4,679	373	4,790	317	4,488

No. 9.—*Sudder Court.*

	1856.		1857.		1858.		1859.		1860.	
	Regular.	Special.	Regular.	Special.	Regular.	Special.	Regular.	Special.	Regular.	Special.
Depending 1st January	7	31	17	36	24	32	16	54	22	75
Admitted during the year	37	126	32	140	26	184	31	203	38	855
Total...	44	157	49	176	50	216	47	257	60	930
Dismissed on default	1	1	2	...	...	...	2	...	2	14
Adjusted or withdrawn	1	...	2	...	...	2	...	...	1	1
Confirmed	16	25	9	29	15	42	13	44	19	171
Amended	2	9	...	3	2	10	...	7	9	10
Reversed	3	29	5	48	15	69	6	83	8	87
Remanded	4	57	6	64	2	39	4	48	...	53
Otherwise disposed of...	...	...	1	...	...	...	...	...	...	2
Total...	27	121	25	144	34	162	25	182	39	338
Depending 31st December...	17	36	24	32	16	54	22	75	21	592

No. 10.—*Aggregate of Original Jurisdiction.*

	1856.	1857.	1858.	1859.	1860.
Depending 1st January	54,287	53,528	57,646	63,735	88,132
Instituted during the year	1,21,670	1,26,105	1,43,389	1,63,269	1,37,834
Total...	1,75,957	1,79,633	2,01,035	2,27,004	2,25,966
Decided on merits...	47,043	46,888	48,181	54,148	62,011
Dismissed on default	10,757	11,609	8,983	9,986	13,555
Adjusted or withdrawn	62,577	61,178	62,218	63,084	63,152
Otherwise disposed of...	2,052	2,312	17,918	11,654	18,393
Depending 31st December...	53,528	57,646	63,735	88,132	68,855
Decided by European Judges	716	819	3,726	3,232	4,728
Decided by Native Judges...	1,21,657	1,21,118	1,33,526	1,35,579	1,52,307
Do. by Punchayets	56	50	48	61	76
Total decided...	1,22,429	1,21,987	1,37,300	1,38,872	1,57,111

No. 11.—*Aggregate of Appellate Jurisdiction*

Appeals from.	Civil Judges. 1856. Regular.	Civil Judges. 1856. Special.	Civil Judges. 1857. Regular.	Civil Judges. 1857. Special.	Civil Judges. 1858. Regular.	Civil Judges. 1858. Special.	Civil Judges. 1859. Regular.	Civil Judges. 1859. Special.	Civil Judges. 1860. Regular.	Civil Judges. 1860. Special.	Subordinate Judges. 1856. Regular.	Subordinate Judges. 1856. Special.	Subordinate Judges. 1857. Regular.	Subordinate Judges. 1857. Special.	Subordinate Judges. 1858. Regular.	Subordinate Judges. 1858. Special.	Subordinate Judges. 1859. Regular.	Subordinate Judges. 1859. Special.	Subordinate Judges. 1860. Regular.	Subordinate Judges. 1860. Special.
Suits appealable	58	1,616	50	1,618	38	1,782	38	1,751	105	2,254	133	667	121	674	198	759	324	39	279	75
Appealed	37	67	32	81	26	86	31	86	38	450	90	21	81	17	71	17	53	16	107	83
Appeals depending on 1st January	7	17	17	23	24	22	16	22	22	32	160	5	149	5	140	4	130	3	114	5
Total	44	84	49	104	50	108	47	108	60	482	250	29	230	22	211	21	183	19	221	88
Affirmed	16	18	9	19	15	23	13	20	19	95	39	4	40	4	32	3	27	2	55	19
Modified	2	4	...	2	2	7	...	3	9	7	10	2	14	1	13	...	6	1	7	...
Reversed	3	10	5	26	15	41	6	36	8	41	16	7	16	4	15	8	6	6	13	5
Remanded	4	28	6	35	2	14	4	17	...	31	6	11	8	9	7	6	5	5	6	7
Dismissed on default	1	1	2	...	...	...	2	...	2	7	4	...	2	...	4	...	4	...	...	1
Adjusted or withdrawn	1	...	2	...	...	1	...	...	1	1	14	...	8	...	11	1	10	...	5	...
Otherwise disposed of	...	...	1	...	...	...	...	...	...	...	12	...	2	...	1	...	1	...	1	1
Total	27	61	25	82	34	86	25	76	39	185	101	24	90	18	83	18	59	14	87	33
Depending 31st December	17	23	24	22	16	22	22	32	21	297	149	5	140	4	128	3	121	5	134	55

Appeals from.	Assistant Judges. 1856. Regular.	Assistant Judges. 1856. Special.	Assistant Judges. 1857. Regular.	Assistant Judges. 1857. Special.	Assistant Judges. 1858. Regular.	Assistant Judges. 1858. Special.	Assistant Judges. 1859. Regular.	Assistant Judges. 1859. Special.	Assistant Judges. 1860. Regular.	Assistant Judges. 1860. Special.	Principal Sudder Ameens. 1856. Regular.	Principal Sudder Ameens. 1856. Special.	Principal Sudder Ameens. 1857. Regular.	Principal Sudder Ameens. 1857. Special.	Principal Sudder Ameens. 1858. Regular.	Principal Sudder Ameens. 1858. Special.	Principal Sudder Ameens. 1859. Regular.	Principal Sudder Ameens. 1859. Special.	Principal Sudder Ameens. 1860. Regular.	Principal Sudder Ameens. 1860. Special.
Suits appealable	...	148	...	305	...	161	...	...	...	...	498	1,012	404	1,518	375	2,097	202	86	333	121
Appealed	...	3	...	13	...	21	...	12	...	1	118	32	99	29	107	60	95	89	93	321
Appeals depending on 1st January	...	...	...	...	...	2	...	12	...	2	244	9	132	8	101	4	126	17	132	36
Total	...	3	...	13	...	23	...	24	...	3	362	41	231	37	208	64	221	106	225	357
Affirmed	...	...	...	2	...	3	...	7	...	...	115	3	86	4	50	13	61	15	82	57
Modified	...	...	...	...	...	2	...	2	...	1	31	3	16	...	6	1	13	1	18	2
Reversed	...	1	...	7	...	3	...	9	...	1	45	8	16	11	15	17	12	32	21	40
Remanded	...	2	...	2	...	3	...	4	...	...	19	16	7	18	6	16	2	22	8	12
Dismissed on default	...	...	...	...	...	...	...	...	...	...	8	...	2	...	3	...	2	...	2	6
Adjusted or withdrawn	...	...	...	...	...	...	...	...	...	...	11	3	3	...	4	...	4	...	3	...
Otherwise disposed of	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	3	...	...	1
Total	...	3	...	11	...	11	...	22	...	2	230	33	130	33	84	47	97	70	134	118
Depending 31st December	...	...	...	2	...	12	...	2	...	1	132	8	101	4	124	17	124	36	91	239

Appeals from.	Collectors. 1856. Regular.	Collectors. 1857. Regular.	Collectors. 1858. Regular.	Collectors. 1859. Regular.	Collectors. 1860. Regular.	Sudder Ameens. 1856. Regular.	Sudder Ameens. 1857. Regular.	Sudder Ameens. 1858. Regular.	Sudder Ameens. 1859. Regular.	Sudder Ameens. 1860. Regular.	District Moonsiffs. 1856. Regular.	District Moonsiffs. 1857. Regular.	District Moonsiffs. 1858. Regular.	District Moonsiffs. 1859. Regular.	District Moonsiffs. 1860. Regular.
Suits appealable	No return		76	166	74	1,012	1,675	1,188	993	1,142	23,223	22,049	21,034	22,451	25,800
Appealed	34	31	27	32	65	565	538	588	391	485	5,180	5,319	5,139	5,361	10,918
Appeals depending on 1st January	36	36	27	30	48	1,117	833	724	637	541	3,612	5,562	6,235	5,759	5,968
Total	70	67	54	62	113	1,712	1,371	1,312	1,028	1,026	8,792	10,881	11,374	11,120	16,881
Affirmed	20	18	9	11	20	435	306	276	180	214	1,507	2,243	2,727	2,495	2,993
Modified	1	7	...	1	1	111	82	105	76	79	311	424	463	468	660
Reversed	5	6	7	2	23	187	119	106	95	116	528	791	985	878	1,175
Remanded	1	2	6	...	1	71	57	84	88	24	301	499	646	664	204
Dismissed on default	1	4	1	...	3	24	25	13	9	8	98	106	126	95	193
Adjusted or withdrawn	6	3	1	2	1	46	57	38	33	17	218	320	351	283	282
Otherwise disposed of	...	...	...	...	4	5	1	53	6	89	237	263	317	271	5,275
Total	34	40	24	16	53	879	647	675	487	547	3,230	4,646	5,615	5,154	10,782
Depending 31st December	36	27	30	46	60	833	724	637	541	479	5,562	6,235	5,7—59	5,966	6,099

No. 12.—*Description of Original Suits.*

	1856.	1857.	1858.	1859.	1860.
Connected with land rent and revenue...	9,979	11,217	4,011	4,676	2,882
Otherwise connected with land...	.....	.....	8,939	10,364	7,774
For Houses or other fixed property...	2,261	2,647	3,086	3,763	2,868
Connected with debts, wages, &c...	1,09,324	1,12,093	1,14,919	1,35,206	1,05,179
Do. do. caste, religion, &c...	.....	.....	466	524	478
Do. do. Indigo, Sugar, Silk, &c... ...	... ..	.....	3,154	2,282	2,734
Total...	1,21,564	1,25,957	1,34,575	1,56,815	1,21,915

No. 13.—*Result of Original Suits.*

In favor of Plaintiff.	In favor of Defendant.
52,708	9,303

No. 14.—*Average duration of Suits.*

	1856.			1857.			1858.			1859.			1860.		
	Years.	Months.	Days.	Years.	Months.	Days.	Years.	Months.	Days.	Years.	Months.	Days.	Years.	Months.	Days.
Sudder Court	...	2	19	...	3	5	...	3	26	...	3	10	...	6	21
Civil Judges.	1	6	1	1	3	27	1	3	27	1	8	12	1	4	11
Subordinate Judges	1	7	2	1	5	22	1	3	8	1	1	2	1	4	16
Assistant Judges...	2	7	1	2	6	10	1	11	7	...	...	...	...	...	...
Principal Sudder Ameens...	1	4	11	1	1	20	...	11	1	...	9	19	...	10	23
Sudder Ameens...	...	7	24	...	5	14	...	7	29	...	10	2	...	9	1
District Moonsiffs	...	7	12	...	7	17	...	7	11	...	7	14	...	7	11

No. 15.—*Total value of Suits depending.*

	1856.	1857.	1858.	1859.	1860.
Before Sudder Court....	10,13,483	6,83,482	5,10,880	2,66,422	7,22,555
Do. other Courts, Original ...	1,17,80,474	139,68,910	160,06,468	214,58,221	148,15,664
Do. do. Appeals... ...	14,89,170	15,62,589	14,70,883	14,67,970	15,57,562
Total...	142,83,127	162,14,981	179,88,231	231,92,613	170,95,781

(Signed) THOS. WILKINS,
Acting Deputy Registrar.

Exd. T. O'Connor.